

From: Brian Degenhardt
To: Microsoft ATR
Date: 1/23/02 1:11pm
Subject: Microsoft Settlement

Hello.

I would like to add my comments to the proposed Microsoft settlement and point out that there are serious flaws in the settlement.

For example, in section III A.2 it states that Microsoft shall not retaliate against an OEM for:

"shipping a Personal Computer that (a) includes both a Windows Operating System Product and a non-Microsoft Operating System, or (b) will boot with more than one Operating System..."

but it says nothing about shipping a personal computer without the Windows Operating system. Due to Microsoft's anti-competitive practices, it is virtually impossible to buy a computer that does not contain Microsoft Windows, yet the proposed settlement does not explicitly forbid Microsoft from continuing the retaliation towards non-windows computer manufacturers.

This is unacceptable.

-bmd